

**BOARD OF COUNTY COMMISSIONERS  
LAKE COUNTY, FLORIDA**

**REGULAR MEETING**

**JULY 12, 2005**

---

**COUNTY COMMISSIONERS**

**Jennifer Hill, Chairman**

**Catherine C. Hanson, Vice Chairman**

**Robert A. Pool, District #2**

**Debbie Stivender, District #3**

**Welton G. Cadwell, District #5**

**Cindy Hall, County Manager**

**Sanford A. Minkoff, County Attorney**

**James C. Watkins, Clerk to the Board**

---

**DISCLAIMER**

**This booklet has been prepared for the convenience of the Board of County Commissioners in discussing matters before them. Every effort has been made to include all items to be discussed at this Board of County Commissioners meeting, however, Commissioners may add items, which are not a part of this Agenda, or items may be removed from consideration. While it has been the goal to present error-free information, we do not represent that documentation is without errors or omissions.**

**As a part of any public and formal meeting, the Board of County Commissioners may, from time to time, schedule a workshop during which they will receive information from staff, have discussions with staff and among themselves, and then proceed to give staff direction on the subject matter being discussed unless otherwise shown on the Agenda item. These discussions and workshops do not take the place of the formal public hearing process during which all public comment and formal action is taken.**

**The Board and staff welcome written comments prior to workshops and other meetings. If you have comments or questions regarding the subject matter of any Board action or workshop, please deliver your written comments to appropriate County staff or mail to the Board of County Commissioners, Post Office Box 7800, Tavares, FL 32778.**

## **ITEMIZED AGENDA**

**July 12, 2005**

9:00 A.M. Invocation

Pledge of Allegiance

### **I. AGENDA UPDATE**

Discussion regarding proposed revisions to today's Agenda.

### **II. MINUTE APPROVAL**

### **III. CLERK OF COURT'S CONSENT AGENDA**

Tab 1 Approval of Clerk of Courts' Consent Agenda (Items 1 through 12):

1. Request to acknowledge receipt of list of checks or warrants paid prior to this meeting, pursuant to Chapter 136.06(1) of the Florida Statutes, which shall be incorporated into the Minutes as attached Exhibit A and filed in the Board Support Division of the Clerk's Office – Acknowledge receipt.
2. Received the following Ordinances from the Town of Lady Lake – Acknowledge receipt.

Ordinance 2005-11 – Creating a special magistrate system of code enforcement/providing for counsel to prosecute code cases, as described and passed and ordained the 19<sup>th</sup> day of May 2005.

Ordinance 2005-14 – Amending the Lady Lake Land Development Regulations, Chapter 5, permitted uses in the HC (Heavy Commercial/Wholesale Commercial) zoning district, as described and passed and ordained the 5<sup>th</sup> day of May 2005.

Ordinance 2005-21 – Amending Ordinance Number 81-8-(83) establishing the Town of Lady Lake Comprehensive Plan; providing for a small scale future land use map amendment, as described and passed and ordained the 5<sup>th</sup> day of May 2005.

3. Received copy of the Central Lake Community Development District's proposed budget for Fiscal Year 2006, in accordance with Chapter 190.008(2)(b), Florida Statutes – Acknowledge receipt.
4. Southwest Florida Water Management District – Agenda, Governing Board Meeting, June 28-29, 2005, 9:00 a.m., 2379 Broad Street, Brooksville, Florida. Approved Minutes of the Meeting of Governing Board, Tampa, Florida, April 26, 2005 - Acknowledge receipt.
5. Before the Public Service Commission, In re: Application for "quick take" amendment of Certificate Number 339-W in Lake County by Brendenwood Water System. Docket Number 050255-WU; Order Number PSC-05-0678-FOF-WU; Issued: June 20, 2005. Order Amending Certificate Number 339-W to Include Additional Territory in Lake County (Township 18 South, Range 26 East), by order of the Florida Public Service Commission June 20, 2005 - Acknowledge receipt.
6. Received Arlington Ridge Community Development District proposed Operating Budget for Fiscal Year 2006. The District's public hearing is scheduled as follows: Thursday, August 15, 2005, 10:00 a.m., 601 S. Ninth Street, Leesburg, Florida 34748 - Acknowledge receipt.
7. Received from St. Johns River Water Management District: Written Notice of Intended District Decision on Permit Application(s) in Lake County (Certificate of Service is dated June 14, 2005). Includes the following: Petitions for Administrative Proceedings (petitions for an administrative hearing on the above application must be filed within 26 days of the District depositing the written notice in the mail); Making Comments or Objections for Persons Who Do Not Wish to File Petitions for Administrative Proceedings; Other Information; Notice of Rights. The District gives notice of its intent to issue a permit to the following applicant(s) on July 12, 2005: E. R. Jahna Industries, Inc., 202 East Stuart Avenue, Lake Wales, FL 33853, application number 2985. The District proposes to allocate 0.071 million gallons per day of ground water for supplying make up water to the mine pit at an 837-acre sand mine and 17.52 million gallons per day of recirculation water from the mine pit for commercial/industrial type use. The withdrawals used by this proposed project will consist of ground water from the Floridan Aquifer via 1 active well and surface water from the Mine Pit via 3 active pumps in Lake County, located in Sections 9, 10, 15, 16, Township 24 South,

Range 25 East, known as Independent North Sand Mine – Acknowledge receipt.

8. Received from the City of Tavares, Florida, Annexation Ordinance Numbers 2005-18, 2005-20, and 2005-22, passed and ordained June 1, 2005, by the City Council of the City of Tavares, Florida – Acknowledge receipt:

Ordinance 2005-18 – annexing approximately 5.09 acres located on the northern side of County Road 448, approximately 1/2 mile east of the intersection of County Road 561 and County Road 448.

Ordinance 2005-20 – annexing approximately 9.91 acres located south of Mansfield Road and west of Lake Dora.

Ordinance 2005-22 – annexing approximately 0.9 acres located at 32831 Lake Eustis Drive.

9. Received from the St. Johns River Water Management District: Written Notice of Intended District Decision on Permit Application(s) in Lake County (Certificate of Service is dated June 7, 2005).

Includes the following: Petitions for Administrative Proceedings (petitions for an administrative hearing on the above application must be filed within 26 days of the District depositing the written notice in the mail); Making Comments or Objections for Persons Who Do Not Wish to File Petitions for Administrative Proceedings; Other Information; Notice of Rights.

Re: Chateau Communities, Inc., 15840-32 State Road 50, Clermont, FL 34711, application number 2565. The District Proposes to allocate 0.09 million gallons per day to supply 610 people in 2015. The withdrawals used by this proposed project will consist of ground water from the Floridan Aquifer via 2 active wells in Lake County, located in Section 27, Township 22 South, Range 26 East, known as Orange Lake Mobile Home Park – Acknowledge receipt.

10. Received City of Fruitland Park, Florida, Ordinance 2005-015, consenting to the inclusion of the City within the county-wide Municipal Service Taxing Unit (M.S.T.U.) for the provision of ambulance and emergency medical services, providing for the City to be included within said M.S.T.U. for an additional term of two years. Passed and ordained the 26<sup>th</sup> day of May 2005, by the City

Commission of the City of Fruitland Park, Florida - Acknowledge receipt.

11. Unclaimed excess proceeds for tax deed totaling \$32,539.83 – Approval to transfer funds.
12. Monthly Distribution of Revenue Traffic/Criminal Cases, Month Ending May 31, 2005. Disbursements due to Board: \$143,097.00; Same period last year: \$202,481.13 – Acknowledge receipt.

RECOMMENDATION: Approval

**IV. COUNTY MANAGER'S CONSENT AGENDA** (Tabs 2 through 17)

**A. Budget**

Tab 2 Approval of funding agreement with Community Legal Services of Mid-Florida, Inc. for legal aid expenses for the period July 1, 2004 to September 30, 2004, and the period of October 1, 2004 to September 30, 2005, and approve payment according to the funding agreement for those time periods.

RECOMMENDATION: Approval

**B. Community Services**

Tab 3 Approval and signature authorization to expend SHIP (State Housing Initiative Partnership) funds in excess of the limit specified per household in the Local Housing Assistance Plan for State Fiscal Years 2003-2004, 2004-2005, and 2005-2006 for the home of Berneater Williams.

RECOMMENDATION: Approval

Tab 4 Approval and signature authorization to expend SHIP (State Housing Initiative Partnership) funds in excess of the limit specified per household in the Local Housing Assistance Plan for State Fiscal Years 2003-2004, 2004-2005, and 2005-2006 for the home of Pamela Mead.

RECOMMENDATION: Approval

Tab 5 Approval and signature on the Proclamation declaring July 17 through 23, 2005 as Probation, Parole, and Community Supervision Week 2005.

RECOMMENDATION: Approval

Tab 6 Approval of Amendment to Agreement between Lake County and We Care of Lake County, Inc. adding \$30,000.00 of federal grant funds.

RECOMMENDATION: Approval

**C. Employee Services**

Tab 7 Approval to remove the following classifications per Florida Statute 121.055(2(a): Budget & Administrative Services Director, Deputy County Manager/Growth Management Director, Assistant County Manager and Senior Assistant County Attorney; change the title of the position of Human Resources Director to Employee Services Director; add the following classifications per Florida Statute 121.055(1): Budget Director, Facilities Development & Management Director, Procurement Services Director, Information Technology Director, Deputy County Attorney (retroactive effective to 10/17/04), and Deputy County Manager for inclusion in the Florida Retirement System (FRS) Senior Management Service Class.

RECOMMENDATION: Approval

**D. Growth Management**

Tab 8 Approval to advertise proposed Ordinance amending Section 10.05.02 relating to mobile homes.

RECOMMENDATION: Approval

Tab 9 Approval to advertise proposed Ordinance amending Definitions and Section 11.01.03 concerning off-site signs.

RECOMMENDATION: Approval

Tab 10 Approval and execution of a Satisfaction and Release of Fine for property owned by John D. Blessing, CEB Number 2003110110.

RECOMMENDATION: Approval

Tab 11 Approval and execution of a Satisfaction and Release of Fine for property owned by Eddie Martin, CEB Number 15-97.

RECOMMENDATION: Approval

Tab 12 Approval and execution of a Satisfaction and Release of Fine for property owned by Emmory Metts, CEB Number 2004030104.

RECOMMENDATION: Approval

Tab 13 Approval to cancel the Interlocal Fire Prevention Services Agreement with the Town of Lady Lake.

RECOMMENDATION: Approval

**E. Procurement Services**

Tab 14 Approval to declare the items on the attached lists surplus to County needs; authorize the removal of all of the items on the attached lists from the County's official fixed asset inventory system records; and authorize the Interim Procurement Services Director to sign the vehicle titles.

RECOMMENDATION: Approval

Tab 15 Approval to authorize the removal of all of the items on the attached lists from the County's official fixed asset inventory system records and transfer to the State due to Revision Number 7 of Article 5.

RECOMMENDATION: Approval

**F. Public Works**

Tab 16 Approval and signature on the Interlocal Agreement between Lake County and the Town of Astatula for traffic signal maintenance at locations identified in Exhibit A (County Road 561 and County Road 48).

RECOMMENDATION: Approval

Tab 17 Approval and signature on the Interlocal Agreement between Lake County and the Town of Astatula for School Flasher maintenance at locations identified in Exhibit A (Eastbound County Road 48 and Westbound County Road 48 at Astatula Elementary School).

RECOMMENDATION: Approval

**V. PERSONAL APPEARANCES/PRESENTATIONS**

**A. PERSONAL APPEARANCES – 9:00 A.M. or as Soon Thereafter**

**1. EMPLOYEE AWARDS**

**Presentation of Award to Employees with Five Years of Service**

Brian D. Hawthorne, Fire Inspector, Growth Management/Building Services

John Dabney, Chief Forensic Investigator, Medical Examiner

Thomas S. Thrush, Forensic Investigator, Medical Examiner

Kay F. Shields, Office Associate III, Community Services/Agricultural Education Service/Cooperative Extension Service

Traci A. Bates, Permitting Specialist, Growth Management/Building Services

Yvonne C. Heitzner, Laboratory Analyst, Environmental Services/Water Resource and Environmental Programs/Hydrogeology and Lab

Grant D. Cox, Parks Crew Leader, Public Works/Road Operations/Parks and Recreation

Rosalee D. Jackson, Permitting Specialist, Growth Management/Building Services

Susan L. Taylor, Senior Landfill Attendant, Environmental Services/Administration/Scales

**Presentation of Award to Employees with Ten Years of Service**

Jane E. Reich, Administrative Office Coordinator, Community Services

Walter L. Thompson, Mechanic, Public Works/Special Services/Fleet Maintenance

**B. PRESENTATIONS – 9:00 A.M. or as Soon Thereafter**

**1. PRESENTATIONS**

Tab 18 **PRESENTATION:** Approval, Signature and Presentation Honoring the Boys and Girls Club AAU Basketball Team



Tab 19                    **PRESENTATION:** Approval, Signature and Presentation  
Honoring the Mount Dora High School Softball Team

**PRESENTATION:** Presentation of Check from the Florida Association  
of Counties Scholarship Fund to Brandon Bradford by Commissioner  
Welton G. Cadwell, District Five and President, Florida Association of  
Counties

**PRESENTATION:** Presentation of Heart Ready Award from Nancy  
DeVault, Community Heart & Stroke Director, American Heart  
Association to the Lake County Board of County Commissioners

**PRESENTATION:** Presentation of Streetscape Plan by Michael Pape &  
Associates representing the City of Tavares

**VI.    COUNTY MANAGER'S DEPARTMENTAL BUSINESS** (Tab 20)

**A.    Environmental Services**

Tab 20                    Approval of appointment of an elected official from the Lake  
County Board of County Commissioners to act as the County's  
representative for the governance of the Water Alliance.

RECOMMENDATION:                    Approval

**VII.   WORKSESSION**

**A.    WORKSESSION - 9:00 A.M. or as Soon Thereafter**

**1.    WORKSESSION**

Tab 21                    **WORKSESSION:** Dirt Road Inventory

**CITIZEN QUESTION AND COMMENT PERIOD**

At this point in the meeting, the Board of County Commissioners will hear questions, comments and concerns from the citizens of Lake County. Action will not be taken by the Board at this meeting but questions may be answered by staff or issues may be referred for appropriate staff action. If further action is necessary, the item may be placed on the agenda for further review and consideration. NOTE: Zoning or code enforcement matters which may be coming before the Board at a later date should not be discussed until such time as they come before the Board in a public hearing.

**VIII. OTHER BUSINESS (Tab 22)**

Tab 22            Appointment of individuals to the Public Safety Coordinating Council.

**IX. REPORTS**

**A. County Attorney**

**B. County Manager**

**C. Commissioner Hill – Chairman and District #1 (Tab 23)**

Tab 23            Approval to schedule the 2005 State of the County event for Thursday, October 20, 2005 and discussion of format.

**D. Commissioner Pool – District #2**

**E. Commissioner Stivender – District #3 (Tab 24)**

Tab 24            Approval and signature on Proclamation honoring South Lake High School Softball Team (to be presented at a later date).

**F. Commissioner Hanson – District #4**

**G. Commissioner Cadwell – District #5**

The County Commission reserves the right to move any Agenda item to an earlier time during the day as its schedule permits, except in the case of items and appointments that have been advertised in a newspaper for a specific time.

-----  
Pursuant to the provisions of Chapter 286, Florida Statutes, Section 286.0105, if a person decides to appeal any decision made by the County Commission with respect to any matter considered at this Commission meeting, he or she will need a record of the proceedings, and that, for such purpose, he or she may need to ensure that a verbatim record of the proceedings is made, which record may include the testimony and evidence upon which the appeal is to be based.

Persons with disabilities needing assistance to participate in any of these proceeding should contact the Department of Facilities Development and Management at (352) 343-9760, 48 hours in advance of the scheduled meeting.

**TENTATIVE AGENDA**

**JULY 19, 2005**

9:00 A.M. Regular Meeting

9:00 A.M. PUBLIC HEARING: Post-Publication Public Hearing for Federal Fiscal Year 2005 One-Year  
or as Soon Action Plan relating to Community Development Block Grants  
Thereafter

9:00 A.M. PUBLIC HEARING: Ordinance Amending Section 2-24, Lake County Code, to be Entitled  
or as Soon Lake County Investment Policy  
Thereafter

9:00 A.M. PUBLIC HEARING: Ordinance Establishing the Greater Lakes/Sawgrass Bay Community  
or as Soon Development District (CDD)  
Thereafter

9:00 A.M. PUBLIC HEARING: Ordinance Amending the Special Assessment Process  
or as Soon  
Thereafter

9:00 A.M. PRESENTATION: Healthy Communities by Fletcher Smith, Director, Community Services  
or as Soon  
Thereafter

=====

**TENTATIVE AGENDA**

**JULY 25, 2005**

9:00 A.M. Budget Retreat – Training Room, Room 233

=====

**TENTATIVE AGENDA**

**JULY 26, 2005**

9:00 A.M. Regular Meeting (Zoning and Road Vacations)

5:05 P.M. PUBLIC HEARING: Ordinance for Adoption of Joint Land Development Regulations with  
or as Soon the City of Clermont (Final Hearing)  
Thereafter

=====

**TENTATIVE AGENDA**

**AUGUST 2, 2005**

9:00 A.M. Regular Meeting

9:00 A.M. PRESENTATION: Emeraldal Marsh Restoration Project by David Walker, St. Johns River  
or as Soon Water Management District  
Thereafter

=====

**TENTATIVE AGENDA**

**AUGUST 9, 2005**

9:00 A.M. Board Retreat

=====